

Serial No.: 08/785,455
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amendments and following response, the Applicant believes the new claims presented herein are allowable. Reconsideration and allowance is respectfully requested.

By the present Amendment, claims 1-25, 27 and 48 are cancelled and claims 4-6, 26, 33, 34, 41, 42, 44, 45 and 55 are amended. Accordingly, claims 4-6, 26, 28-47 and 49-55, directed to Group I, are in the case.

The present Amendment and a concurrently filed Notice of Appeal are, Applicant respectfully submits, timely filed on October 8, 1998, in view of the Petition for Extension of Time incorporated into the Notice of Appeal.¹

The Applicants respectfully submit that the Amendment meets the requirements of 37 CFR 1.116 since:

- A. The Amendment cancels claims 1-25, 27 and 48.
- B. The Amendment complies with requirements of form expressly set forth in the Office Action by the amendments to claims 26 and 44.
- C. The Amendment places the claims in condition for allowance and in better condition for consideration on appeal.

Accordingly, Applicants respectfully request entry of the Amendment.

Support

The claims have been revised to clarify the invention. Support, Applicants respectfully submit, is readily apparent. The present revisions, it is respectfully submitted, introduce no new matter.

¹ Fee Deficiency

If any additional extension is required, please consider this paper a petition for such a petition; Any fee for the extension required for consideration of this paper but not enumerated above can be charged to Account No. **50-0258**.

AND/OR

If any additional fee is required for consideration of this paper, please charge Account No. **50-0258**.

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Claim Rejections Under 35 U.S.C. §112, First Paragraph

Claims 1-3 and 7-12 stood rejected under 35 U.S.C. §112, first paragraph. Applicants respectfully disagree with the made in support of this assertion, since ordinary skill, in light of the specification would allow one of ordinary skill to practice the invention to its claimed extent. However, to expedite prosecution of this application, these claims are no longer being pursued.

Claim Objections

The Office Action stated an objection to claims 4-6. This objection is obviated by the amendments herein, which cancel these claims in favor of other recitations of the invention.

Claim Rejections Under 35 U.S.C. §112, Second Paragraph

Claim 44 stood rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The antecedent basis issue identified by the Examiner with respect to claim 44 has been clarified with amendments which Applicants believe overcome the Examiner's rejections.

Claim 26 stood rejected under 35 U.S.C. §, 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The mistaken recital of SEQ ID NO: 1 instead of SEQ ID NO: 2 identified by the examiner has been corrected, thereby, Applicant respectfully submits, overcoming the rejection.

In view of the foregoing and the amended and new claims as presented herein, Applicants respectfully request that the Examiner withdraw the rejections based on 35 U.S.C. §112, second paragraph.

Closing Remarks

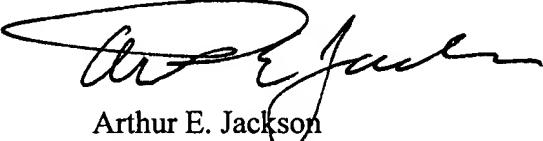
The Applicants reserve the right to prosecute, in one or more patent applications, the canceled claims, the claims to non-elected inventions, the claims as originally filed, and any

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other claims supported by the specification. The cancellation of the claims made herein was done solely expedite or otherwise facilitate prosecution and was not done nor should it be construed to have been done to overcome any issue of unpatenability of the claims as they existed prior to such cancellation.

The Applicant thanks the Examiner for the Office Action and believes this response to be a full and complete response to such Office Action. In light of these amendments and remarks, it is respectfully submitted that the Amendment should be entered, the rejections should be withdrawn, and that the application is in condition for allowance. Accordingly, favorable reconsideration in view of this response and allowance of the pending claims are earnestly solicited.

Respectfully submitted,



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